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CHARITABLE GIFT FUND

25 **UNITED STATES DISTRICT COURT**
26
NORTHERN DISTRICT OF CALIFORNIA
27
SAN FRANCISCO DIVISION

28 EMILY FAIRBAIRN and
MALCOLM FAIRBAIRN,

v.
Plaintiffs,

FIDELITY INVESTMENTS CHARITABLE
GIFT FUND,

Defendant.

Case No. 3:18-cv-04881-JSC

**JOINT STIPULATION REQUESTING
ORDER TO EXTEND CASE DEADLINES;
[PROPOSED] ORDER**

1 Pursuant to Civil Local Rule 6-2(a), Plaintiffs Emily and Malcolm Fairbairn and Defendant
2 Fidelity Investments Charitable Gift Fund respectfully submit this Joint Stipulation Requesting Order
3 To Extend Case Deadlines.

4 WHEREAS, on December 13, 2018, the parties jointly submitted a Joint Case Management
5 Statement & Proposed Order containing a proposed case management schedule, which the Court
6 entered on December 21, 2018;

7 WHEREAS, on December 5 and 6, 2018, Defendant propounded requests for production,
8 interrogatories, and requests for admission on each Plaintiff as well as document subpoenas on three
9 entities controlled by Plaintiffs;

10 WHEREAS, on January 11 and 14, 2019, Plaintiffs propounded requests for production and
11 interrogatories on Defendant and document subpoenas on three entities affiliated with Defendant;

12 WHEREAS, on January 24, 2019, Plaintiffs served responses and objections to Defendant's
13 requests for production, interrogatories, requests for admission, and document subpoenas and stated
14 its intention to produce documents on a rolling basis, which commenced on February 18, 2019;

15 WHEREAS, on February 28, 2019, the Court entered an order (Dkt. 58) moving the deadline
16 to complete mediation from July 15, 2019 to August 29, 2019, and there have been no other
17 modifications to the Court's Pre Trial Order.

18 WHEREAS, on March 4, 2019, Defendant served responses and objections to Plaintiffs'
19 requests for production and subpoenas and stated its intention to produce documents on a rolling
20 basis, which commenced on March 14, 2019;

21 WHEREAS, the parties' document search and production efforts are ongoing and will not be
22 complete before April 15, 2019 at the earliest;

23 WHEREAS, the parties have notified each other of perceived deficiencies in the responses to
24 their respective requests for production and continue to meet and confer in a good-faith effort to
25 resolve these disputes; and

26 WHEREAS, on March 5, 2019, counsel for Plaintiffs proposed an extension of the existing
27 pretrial deadlines to accommodate the outstanding discovery in the action, counsel for Defendant
28 agreed on March 13, 2019 in an effort to work in good faith to reach compromise and resolve

1 discovery disputes without court intervention, and the parties reached ultimate agreement on all
 2 dates on March 19, 2019;

3 WHEREAS, the Parties agree that no depositions will be taken on or between June 7-21,
 4 2019;

5 IT IS HEREBY STIPULATED AND AGREED that the Parties request the Court to extend
 6 the following discovery and dispositive motion deadlines as follows:

	Current Deadline	Stipulated Deadline
Fact Discovery Cut-Off:	June 5, 2019	July 31, 2019
Plaintiffs' Expert Witness Disclosures:	July 3, 2019	August 28, 2019,
Defendant's Expert Witness Disclosures:	August 5, 2019	September 27, 2019
Plaintiffs' Rebuttal Expert Witness Disclosures:	August 19, 2019	October 11, 2019
Deadline to Complete Mediation:	August 29, 2019	October 18, 2019
Expert Discovery Cutoff:	September 19, 2019	November 8, 2019
Deadline for Filing Dispositive Motions:	October 17, 2019	December 6, 2019

20 Based on this Court's Pre-Trial Order (Dkt. 49), the Parties believe that the following case
 21 management and trial deadlines should be extended as follows:

Case Management Statement Due	August 8, 2019	September 30, 2019
Case Management Conference	August 15, 2019	October 7, 2019
Pre-Trial Conference	January 23, 2020	March 6, 2020
Trial	February 18, 2020	April 2, 2020

1 DATED: March 21, 2019

/s/ Rachana A. Pathak

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9 DATED: March 21, 2019

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17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

18 The further case management conference is continued to October 10, 2019 at 1:30 p.m., the pretrial
conference is reset to March 5, 2020 and the trial is reset to April 6, 2020.

19 Dated: March 26, 2019

20 _____
The Honorable Jacqueline Scott Corley
United States Magistrate Judge

